

REMARKS

The Office Action dated February 23, 2004 has been reviewed and the Examiner's comments carefully considered. Claim 13 has been amended. No claims have been canceled or added. Therefore, claims 1, 3, 5-7 and 9-18 are pending in the application.

Allowed Claims

Applicants appreciate the allowance of claims 17 and 18.

Claim Rejections

Claims 1, 3, 5-7 and 9-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over GB 2347142 A ("Mizuno") in view of U.S. Patent No. 6,073,874 ("Scheel"). The rejection will be addressed with regard to independent claims 1, 3 and 6 below.

The rejection should be withdrawn because the references when taken alone, or in combination, fail to disclose the claimed invention. Mizuno nor Scheel teach, disclose or suggest "the entire surface of each of the plurality of balls is applied with a lubrication coating," as called for in claim 1. Further, neither reference teaches, discloses or suggests "the entire interior surface of the straight portion pipe is coated with lubricant," or "the entire inner surface of the straight portion pipe is coated with lubricant," as called for in claims 3 and 6, respectively.

The Office Action admits that Mizuno does not disclose "the entire surface of each of the plurality of balls is applied with a lubrication coating." (Office Action at p. 2). However, the Office Action asserts that Scheel teaches that "the surface of said balls and an interior surface of the pipe are applied with lubrication coating." (Office Action at p. 2). The Office Action further states that the lubricant capsules of Scheel would "inherently circulate and coat the entire surface of the balls and the pipe." (Office Action at p. 4) On the contrary, Scheel does not disclose, teach or suggest that the entire surface of each of the plurality of balls or the entire interior surface of the straight portion of the pipe is coated with a lubricant as required by claims 1, 3 and 6, respectively. Furthermore, the Office Action does not provide a basis in fact and/or technical reasoning to reasonably support the determination that the

alleged inherent fact that the balls and pipe would be entirely coated necessarily flows from the teachings of Scheel. MPEP 2112.

In addition, Scheel teaches away from the requirements of claims 1, 3 and 6. Specifically, claims 1, 3 and 6 require coating the entire surface of the balls and entire interior surface of the pipe, which necessarily requires that the balls and pipe are coated prior to placing the balls in the pipe. On the contrary, Scheel specifically states that “[t]he activation of the grease or lubricant reservoir takes places only after completion of mounting or even after the first operation use, resulting in the special advantage that until the first operation occurs no aging of the grease or lubricant, no drying and thus no reduction of the lubrication action will occur.” (Scheel at col. 2, lines 25-37). Reconsideration and withdrawal of the rejections is respectfully requested.

Claims 5, 7, and 9-16 depend from claims 3 and 6 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable limitations set forth in these dependent claims.

Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of

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papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R.

§1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 5/20/2004

By 

FOLEY & LARDNER LLP

Customer Number: 22879

Telephone: (202) 672-5490

Facsimile: (202) 672-5399

Howard N. Shipley

Attorney for Applicant

Registration No. 39,370